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SUBJECT: LEBANON: JUSTICE MINISTER READY TO WORK ON
TRIBUNAL DISAGREEMENTS

Classified By: Ambassador Jeffrey D. Feltman for reasons 1.4 (b) and (d).

SUMMARY

11. (C) Lebanon has reached a crossroads, Justice Minister Rizk told Ambassador Feltman, NEA/ELA Office Director Abercrombie-Winstanley, and Econoff on February 15. The March 14 coalition can now block political progress and let Hizballah take the blame, or restore national unity through the legal and electoral system. People realize now that there can be no provisional solution. The Special Tribunal is the way forward. Rizk said he stands ready to address Hizballah's presumed problems with the Tribunal but urged the Ambassador to help him pressure Hizballah to compromise by making them believe that their recalcitrance is making UN invocation of Chapter VII more likely. Unfortunately, Rizk admitted, he has no way of knowing what Hizballah's true concerns are, and how divergent the Iranian and Syrian agendas for Hizballah may prove to be. Aoun might be the one political figure who could tip the balance; Rizk continues to hear from Aoun that he does not oppose the tribunal, and he pledged to push Aoun to make a public statement to that effect. In so doing, he hopes to further clarify that Syria's proxies in Lebanon are the main obstacles to formation of a tribunal, and to further split the opposition.
End Summary.

POLITICAL STALEMATE

12. (C) Justice Minister Rizk told the Ambassador, visiting NEA/ELA Office Director Abercrombie-Winstanley, and Econoff February 15 that the commemoration on the second anniversary of the assassination of Prime Minister Hariri the previous day showed that there are two Lebanons, with an "electric barrier" dividing the Shia from most Christians, the Sunnis, and the Druze. Ambassador Feltman reminded Rizk that there were several Shia speakers at the commemorative event.
(Comment: Rizk may suffer from the March 14 propensity to believe that all the Shia are in the opposition, when in fact some have sought a place in March 14. End Comment.)

13. (C) Lebanon has reached a crossroads, Rizk told us: March 14 could block the political process and let Hizballah take the blame, or restore national unity through the legal and electoral system. The goal of Hizballah, which claims to represent the full 35 percent of the population that is Shia and which claims to possess 20,000 rockets, is to impose its will on the government. It is not content with majority rule, but insists on governing through consensus, which will

make the government totally ineffective, forcing "the end of this country, the end of reasonable and decent government, and thus a recipe for inaction." Previously the government could elect a president with a one-vote majority, while now it cannot even hire a worker except by consensus.

14. (C) People realize now that there can be no provisional political solution. The February 14 terrorist bus bombings backfired; instead of preventing people from attending the Hariri commemoration the perpetrators emboldened a large pro-government crowd at yesterday's rally. Supporters refused to be intimidated. The demonstrations showed that Hizballah is weaker than a week ago, but still no one can force Hizballah to compromise; the two Lebanese "cantons" are working in parallel to each other, he said (employing a term often used to portray the divisions of a hypothetical federal Lebanon).

15. (C) Rizk said that military prosecutor Judge Jean Fahd does not yet have a theory about the bombings, but knows the buses originated in Murr's home village, and that the bombs were inside and not under the bus. After the first bus exploded, a traffic jam ensued, and luckily the passengers on the second bus got off to investigate before the bomb on that bus exploded. Investigators still do not know whether the bombs were remote-controlled or on timers.

TRIBUNAL IS THE WAY FORWARD

16. (C) The Special Tribunal is the way forward for Lebanon, Rizk told us. It is good that Saad Hariri's speech at the rally indicated readiness to pursue a middle of the road formula. Either Hizballah really has concerns about the

BEIRUT 00000251 002 OF 003

tribunal which can be addressed, or Hizballah is simply sabotaging the government by means of the stalling on the tribunal. Working on the former assumption, Rizk said he stood ready to address Hizballah's presumed problems with the tribunal by ensuring, first, that its mandate does not include crimes committed before October 2004 and second, that the language holding superiors responsible for their subordinates' actions is modified.

17. (C) Rizk urged the Ambassador to help him and others put more pressure on Hizballah to compromise by making Hizballah believe that its recalcitrance is actually making UN Security Council invocation of Chapter VII more likely. Rizk noted that an editorial by Michael Young in the February 15 edition of the Daily Star made this point well. Rizk also noted that he plans to take a more aggressive stance against a misinformation campaign on the Tribunal, staged by Al-Jazeera, by demanding equal air time to provide accurate information. Rizk also took on board the Ambassador's suggestion that the GOL send the draft Tribunal legislation to parliament accompanied by a letter explaining its understanding of the implementation of the tribunal, as many nations do with international treaties.

COMPETING IRANIAN AND SYRIAN INTERESTS IN HIZBALLAH'S AGENDA

18. (C) Rizk said that unfortunately, he had no way of knowing what Hizballah's true concerns are; he sent messages months ago that he was willing to accommodate Hizballah's fears, but had received no response. "Now it is time to sit with them," Rizk told us. He has been trying to increase his dialogue with Hizballah through intermediaries, and yesterday received a call seeking a meeting, but he commented that some of the intermediaries sent to him -- including resigned Energy and Water Minister Fneish -- have little influence. Others, including politbureau member Hajj Komati, are sophisticated and intellectual people, closer to Hassan Nasrallah. Rizk said his dialogue with Hizballah has been

weaker since the July war, when Nasrallah stopped seeing many people.

¶9. (C) Hizballah is Lebanese, or has Lebanese roots, but it is under the influence of outside forces which are no longer united. Rizk observed how Iran has broader interests, while Syria is obsessed with Lebanon. He believed that while Hizballah would like to follow Iran's advice and be more flexible, its Syrian backers are still rigid; while Iran would like Hizballah to allow the formation of the Tribunal, Syria will not allow Hizballah to do so. Iran is focused on larger concerns, and in particular the news that North Korea will abandon its nuclear program, while Syria remains obsessed with Lebanon. Iranian Foreign Minister Larijani and Saudi Prince Bandar developed a package that addressed Iranian and Saudi concerns and worked to get buy-in from their sides. Bandar returned right away with an acceptance, but Larijani has produced an answer in over 10 days, probably indicating that the Syrians objected.

AOUN COULD TIP THE BALANCE

¶10. (C) Rizk thought that General Michel Aoun might be the one political figure who could tip the balance. Rizk said he continues to hear from General Aoun that he does not oppose the Tribunal, and he pledged to push Aoun to make a public statement to that effect in order to further clarify that Syria's proxies in Lebanon are the largest obstacles to formation of a tribunal, and to further split the opposition.

Strong Christian participation at the commemoration showed that "his Christians have left him behind." Ibrahim Kanaan's shooting altercation in a ski resort hotel last weekend also made Aoun's camp look foolish. Aoun is obsessed with the presidency, and does not see that March 14 is ready to take him into the cabinet with the largest Christian bloc. He still hopes that Hizballah will back him as a presidential candidate.

¶11. (C) Finally, Rizk believed that UNIIIC Chief Investigator Serge Brammertz will agree to another extension of his term, because he expects his boss at the International Court of Justice to fire him over a personal dispute if he returns. As an additional incentive to stay on, French President Jacques Chirac has allegedly arranged a job for Brammertz at the UN after he leaves the tribunal. Rizk

BEIRUT 00000251 003 OF 003

noted, however, that during the past month, Prime Minister Siniora has delayed asking for an extension of the UNIIIC beyond its scheduled June expiration, for fear that such a request would be seen as a provocation by the opposition that considers the Siniora cabinet to be unconstitutional.

FELTMAN